

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America

v.

AARON T. DANIELS

Case No.

0:16mj-534

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 11/07/2016 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

18 U.S.C. 2339B

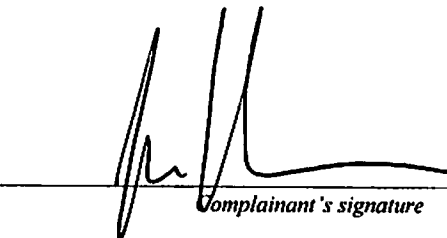
Offense Description

Knowingly providing and attempting to provide material support to a
designated foreign terrorist organization

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

Deputy United States Marshal Jonathan Bailey
Printed name and title

Sworn to before me and signed in my presence.

Date: 11/07/2016


Judge's signature

City and state: Columbus, OH

Magistrate Judge Terence P. Kemp
Printed name and title

**AFFIDAVIT IN SUPPORT OF AN APPLICATION
FOR A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Jonathan Bailey, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. Your Affiant is a Deputy United States Marshal (“DUSM”) with the United States Marshals Service, Southern District of Ohio in the Columbus, Ohio office. Your Affiant has been a DUSM for six years, and has been assigned as a Task Force Officer (“TFO”) for the Federal Bureau of Investigation (FBI) Joint Terrorism Task Force (“JTTF”) for one year. I have been involved in the preparation and execution of numerous federal search warrants for various types of violations. During my current assignment to the JTTF, I have been a Case Agent and Co-Case Agent for multiple international terrorism investigations. While assigned to the JTTF, your Affiant has received specialized training in international terrorism. Furthermore, I have received training in computer-related crime as well as the criminal use of email, social media, and telephonic communications.

2. The statements contained herein are based on an investigation conducted by your Affiant, my experience and training as a TFO on the JTTF, and on other relevant information provided to me by other TFOs and FBI Special Agents. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of your Affiant’s knowledge about this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only. All dates are on or about the specified date.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that AARON DANIELS a/k/a Harun Muhammad a/k/a Abu Yusuf (hereinafter referred to as “DANIELS”) violated Title 18 U.S.C. § 2339B by knowingly providing and attempting to provide material support to a Designated Foreign Terrorist Organization (“FTO”), the Islamic State of Iraq and the Levant (“ISIL”).

STATUTES VIOLATED

4. Title 18, United States Code, Section 2339B states: “Whoever knowingly provides material support or resources to a foreign terrorist organization, or attempts or conspires to do so, shall be fined under this title or imprisoned. . . . To violate this paragraph, a person must have knowledge that the organization is a designated terrorist organization (as defined in subsection (g)(6)), that the organization has engaged or engages in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), or that the organization has engaged or engages in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989).”

PROBABLE CAUSE – 18 U.S.C. § 2339B

Designation of ISIL as a Foreign Terrorist Organization

5. On or about October 15, 2004, the United States Secretary of State designated al-Qa’ida in Iraq (“AQI”), then known as Jam’at al Tawhid wa’al-Jihad, as a Foreign Terrorist Organization (“FTO”) under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.

6. On May 15, 2014, the Secretary of State amended the designation of al-Qa’ida in Iraq (AQI) as a FTO to add the alias Islamic State of Iraq and the Levant (ISIL) as its primary

name. The Secretary also added the following aliases to the ISIL listing: the Islamic State of Iraq and al-Sham (ISIS), the Islamic State of Iraq and Syria (ISI), ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. On September 21, 2015, the Secretary of State added the following aliases to the ISIL listing: Islamic State, ISIL, and ISIS. To date, ISIL remains a designated FTO.

Target of the Investigation and His Aliases

7. The target of the investigation is Aaron DANIELS, who resides at an address known to your Affiant in Columbus, Ohio, within the Southern District of Ohio. DANIELS’ cellular telephone is 614-816-XXXX. While this number is subscribed to by DANIELS’ mother, I know it is used by DANIELS because: (1) DANIELS admitted to me that 614-816-XXXX was his number when I interviewed him on February 23, 2016; and (2) DANIELS submitted a U.S. passport application in August of 2015, in which he provided his address and stated that 614-816-XXXX was his cellular telephone number. Furthermore, the passport application contained a photograph of DANIELS.

8. The investigation has determined that DANIELS uses the name Harun Muhammad and that DANIELS created an email account, harunmuhammad443@XXXXXX.com, using that name as an alias. On or about July 11, 2016, FBI Agents called 614-816-XXXX (known to be DANIELS’ cell phone) and the voicemail message stated that “this is Harun.” Also, the email harunmuhammad443@XXXXXX.com has been routinely accessed from the Internet Protocol (IP) address of a modem located at DANIELS’ residence. Furthermore, this same email account was used to set up a Western Union account in the name of Harun Muhammad, and business records from Western Union show the owner of the account provided

both DANIELS' cellular telephone number and DANIELS' home address in Columbus, Ohio when the account was established. Consequently, your Affiant believes that DANIELS is the user of the email account and uses the alias Harun Muhammad.

9. The evidence demonstrates that DANIELS uses yet another alias in addition to Harun Muhammad. Specifically, DANIELS has used the name Abu Yusuf ("Yusuf") when communicating electronically with an FBI Undercover Employee ("UCE"). YUSUF told a UCE that his email address is harunmuhammad443@XXXXX.com. For all these reasons, your Affiant believes that Aaron DANIELS, Harun Muhammad and Abu Yusuf are the same individual.

DANIELS' INTEREST IN VIOLENT JIHAD

10. Beginning in at least September of 2015, and prior to coming into contact with an FBI UCE, DANIELS expressed his interest in violent jihad in various communications.

11. On or about September 23, 2015, DANIELS sent an electronic communication entitled "Ambitions for Jihad." In that electronic communication, DANIELS, who identified himself as Harun Muhammad, indicated his desire to travel to Afghanistan and engage in violent jihad, but requested financial and logistical support in doing so. DANIELS sent three additional electronic communications to the same electronic address between September 23, 2015 and October 1, 2015 expressing these same interests and need for support.

12. On or about October 7, 2015, DANIELS sent an electronic communication seeking assistance in traveling to Syria to conduct violent jihad and expressed a desire to stop the Russian-Iranian "onslaught on our people." When asked to provide contact information in

addition to his email address, DANIELS provided his phone number of 614-816-XXXX and the Facebook username of Harunmuhammad.

13. On or about October 8, 2015, DANIELS sent an electronic communication to an organization seeking funding to travel to Syria “to do jihad” against the enemies of Islam.

14. On or about October 15, 2015, DANIELS sent an electronic communication to an individual requesting logistic and financial support to travel to Afghanistan so that DANIELS could “do jihad.”

MATERIAL SUPPORT TO ISIL

15. In January of 2016, and prior to coming into contact with an FBI UCE, DANIELS provided \$250 to ISIL recruiter and attack planner, Abu Isa Al-Amriki, AKA Abu Saad Al-Sudani (hereinafter referred to as “Al-Amriki”). As discussed herein and based on my training and experience, I know that Al-Amriki was an ISIL member, recruiter, and external attack planner who is now deceased.

16. An FBI review of Western Union records revealed that on January 29, 2016, DANIELS sent \$250.00 via the “westernunion.com” portal to Person A (whose true identity is known to the FBI) in Beirut, Lebanon, and who as demonstrated below, was an intermediary for Al-Amriki. The transfer was sent from the Western Union account of Harun Muhammad. Furthermore the Western Union records list DANIELS’ checking account debit card (which is in DANIELS’ own name) as the funding source for the Western Union Account of Harun Muhammad. Additionally, DANIELS’ known address, correct telephone number, and his date of birth are all listed in the aforementioned Western Union account profile. Finally, the Western Union records list the email account harunmuhammad443@XXXXXX.com as a point of contact

for the owner of the account. On February 1, 2016, harunmuhammad443@XXXXXX.com received an email from westernunionresponse@westernunion.com verifying that the \$250.00 transfer had been picked up by Person A.

17. As part of an ongoing investigation and after DANIELS sent the \$250 to ISIL, DANIELS has been in electronic communication with an FBI UCE regarding DANIELS' interest in violent overseas jihad. During these communications, and in an effort to convince the UCE of DANIELS' commitment to violent overseas jihad, DANIELS stated that he had given funds, via Western Union, to Al-Amriki, a known ISIL operative. DANIELS stated that Al-Amriki instructed him to send the money via Western Union to Person A. Furthermore, DANIELS told the UCE that harunmuhammad443@XXXXXX.com was his email address.

18. On or about June 3, 2016, the UCE asked DANIELS why he wanted to go overseas and what group he wanted to join. DANIELS replied that originally he wanted to go "to Asham to support the cause of Allah," but had heard that it was "closed." Based on your Affiant's training and experience, I believe the term "Asham" to be a reference to Syria, portions of which are controlled by ISIL. DANIELS then said that "brother Abu Isa told me it was closed at the time...and suggested that I go to Libya their [sic] to support Allah's jihad and Khilafah." Your Affiant believes "Abu Isa" to be a reference to Al-Amriki, and "Khilafah" to be a reference to the "caliphate," which ISIL purports to have established. This exchange evidences DANIELS' understanding that Al-Amriki was an ISIL operative.

19. On or about June 6, 2016, a UCE asked DANIELS to clarify which "Abu Isa" he was talking about and DANIELS confirmed that he was referring to Al-Amriki. On June 15, 2016, a UCE inquired as to which group DANIELS wanted to join in Libya. DANIELS

responded that he wanted UCE assistance to help him go to “waliyat baraqah so I could support the jihad there.” Based on training and experience, your Affiant assesses “waliyat baraqah” to be a reference to ISIL or ISIL controlled territory. These statements by DANIELS evidence his interest in traveling to Libya for the purpose of engaging in violent jihad on behalf of ISIL.

20. On or about June 16, 2016, the UCE asked DANIELS what he has done to show his commitment for violent overseas jihad. Subsequently, on or about June 17, 2016, DANIELS replied that he had given money to Al-Amriki, the well-known and now deceased ISIL operative. Your Affiant concludes that this is a direct reference to a Western Union transfer of money to Al-Amriki by DANIELS. DANIELS further stated to the UCE on or about June 27, 2016 that Person A was “the receiver Abu Isa told me to send the money to on western union.”

21. DANIELS and the UCE also discussed DANIELS’ travel plans for hijrah for the purpose of violent jihad overseas. For example, on or about November 1, 2016, the UCE inquired why DANIELS wanted to travel to Trinidad and how did it fit into DANIELS’ plan. DANIELS responded on November 2, 2016 that he “wanted to go their [sic] so the kuffar don’t track me as if I was to just to Tunisia from the united states.” Your Affiant assesses that the term “kuffar” translates to “non-believer” and your Affiant assesses that, in this context, DANIELS was referring to U.S. law enforcement.

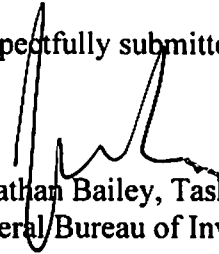
22. On or about November 5, 2016, DANIELS purchased an airline ticket to travel on United Airlines flight #4402 from Columbus, Ohio to Houston, Texas. DANIELS was then scheduled to depart Houston, Texas for Port of Spain, Trinidad and Tobago via United Airlines flight #1457. These flights were scheduled to depart on Monday, November 7, 2016.

23. On or about November 7, 2016, DANIELS arrived at the airport in Columbus, Ohio, which is within the Southern District of Ohio, and was arrested before boarding his outbound flight. Subsequent to his arrest, and after having been advised of his *Miranda* rights, DANIELS admitted to the FBI that his ultimate destination was Libya and that he intended to travel there for the purpose of joining ISIL. DANIELS further admitted to sending \$250.00 via Western Union to Al-Amriki through Person A.

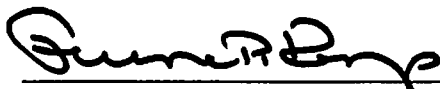
CONCLUSION

24. Based on the foregoing, your Affiant concludes that there is probable cause to believe that AARON DANIELS a/k/a Harun Muhammad a/k/a Abu Yusuf, knowingly provided, and attempted to provide, material support to ISIL, a designated foreign terrorist organization in violation of Title 18, United States Code, Section 2339B(a)(1), in the Southern District of Ohio.

Respectfully submitted,


Jonathan Bailey, Task Force Officer
Federal Bureau of Investigation

Subscribed and sworn to before me on 11/7/16 :



HONORABLE TERENCE P. KEMP
UNITED STATES MAGISTRATE JUDGE